

Please type a plus sign (+) inside this box →

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	RPS20030216US1	Total Pages	31
First Named Inventor or Application Identifier			U.S. PT 0748062
Daryl Cromer			
Express Mail Label No.	ER540257683US		

APPLICATION ELEMENTS		Commissioner for Patents ADDRESS TO: Mail Stop Patent Application P.O. Box 1450 Alexandria, VA 22313-1450
See MPEP chapter 600 concerning utility patent application contents.		
1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i>	6. <input type="checkbox"/> Microfiche Computer Program (<i>Appendix</i>)	
2. <input checked="" type="checkbox"/> Specification <i>(Total Pages) 25</i> <i>(Preferred arrangement set forth below)</i>	7. Nucleotide and/or Amino Acid Sequence Submission (<i>if applicable, all necessary</i>)	
- Descriptive title of the Invention - Cross References to Related Application - Statement Regarding Fed sponsored R & D - Reference to Microfiche Appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (<i>if filed</i>) - Detailed Description - Claim(s) - Abstract of the Disclosure	a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (<i>identical to computer copy</i>) c. <input type="checkbox"/> Statement verifying identify of above copies	
3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) <i>(Total Pages) 6</i>	ACCOMPANYING APPLICATION PARTS	
4. Oath or Declaration <i>(Total Pages) 0</i>	8. <input type="checkbox"/> Assignment Papers (<i>cover sheet & document(s)</i>)	
a. <input type="checkbox"/> Newly executed (original or copy)	9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i>	<input type="checkbox"/> Power of Attorney
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation /divisional with Box 17 completed)</i> [Note Box 5 below]	10. <input type="checkbox"/> English Translation Document (<i>if applicable</i>)	
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
5. <input type="checkbox"/> Incorporation by Reference (<i>useable if Box 4b is checked</i>) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	12. <input type="checkbox"/> Preliminary Amendment	
	13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>	
	14. <input type="checkbox"/> Small Entity <input type="checkbox"/> Statement filed in prior application, Statement(s) <input type="checkbox"/> Status still proper and desired	
	15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>if foreign priority is claimed</i>	
	16. <input checked="" type="checkbox"/> Other: Express Mail Certificate	

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No.:

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label 36491
 Or Correspondence address below

NAME	Brian C. Kunzler				
ADDRESS	8 East Broadway				
	Suite 600				
CITY	Salt Lake City	STATE	Utah	ZIP	84111
COUNTRY	United States	TELEPHONE	(801) 994-4646	FAX	(801) 531-1929
Assignee Name: INTERNATIONAL BUSINESS MACHINES CORPORATION					
Assignee Residence: Armonk, New York					

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

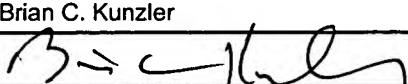
Please type a plus sign (+) inside this box →

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

Note: Effective October 1, 2001.
Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	\$ 1208	Attorney Docket Number	RPS920030216US1
--------------------------------	----------------	-------------------------------	-----------------

METHOD OF PAYMENT (check one)		FEES CALCULATION (continued)																																																																																																																																																																																	
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:		3. ADDITIONAL FEES Large Entity Small Entity <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - intentional</td><td></td></tr> <tr><td>1453</td><td>1330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1330</td><td>2501</td><td>665</td><td>Utility issue fee</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>0</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1814</td><td>110</td><td>2814</td><td>55</td><td>Statutory disclaimer (37 CFR 1.120(d))</td><td></td></tr> <tr><td colspan="4">Other fee (specify) _____</td><td colspan="2"></td></tr> <tr> <td colspan="2">SUBTOTAL (1)</td> <td>\$ 770</td> <td>*Reduced by Basic Filing Fee</td> <td>SUBTOTAL (3)</td> <td>\$ 0</td> </tr> </tbody></table>				Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2520	1812	2520	For filing a request for reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1480	2254	740	Extension for reply within fourth month		1255	2010	2255	1005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1510	1451	1510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - intentional		1453	1330	2453	665	Petition to revive - unintentional		1501	1330	2501	665	Utility issue fee		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Petitions related to provisional applications		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of properties)	0	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		1814	110	2814	55	Statutory disclaimer (37 CFR 1.120(d))		Other fee (specify) _____						SUBTOTAL (1)		\$ 770	*Reduced by Basic Filing Fee	SUBTOTAL (3)	\$ 0
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																														
1051	130	2051	65	Surcharge - late filing fee or oath																																																																																																																																																																															
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																															
1053	130	1053	130	Non-English specification																																																																																																																																																																															
1812	2520	1812	2520	For filing a request for reexamination																																																																																																																																																																															
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																															
1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action																																																																																																																																																																															
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																															
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																															
1253	950	2253	475	Extension for reply within third month																																																																																																																																																																															
1254	1480	2254	740	Extension for reply within fourth month																																																																																																																																																																															
1255	2010	2255	1005	Extension for reply within fifth month																																																																																																																																																																															
1401	330	2401	165	Notice of Appeal																																																																																																																																																																															
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																															
1403	290	2403	145	Request for oral hearing																																																																																																																																																																															
1451	1510	1451	1510	Petition to institute a public use proceeding																																																																																																																																																																															
1452	110	2452	55	Petition to revive - intentional																																																																																																																																																																															
1453	1330	2453	665	Petition to revive - unintentional																																																																																																																																																																															
1501	1330	2501	665	Utility issue fee																																																																																																																																																																															
1502	480	2502	240	Design issue fee																																																																																																																																																																															
1503	640	2503	320	Plant issue fee																																																																																																																																																																															
1460	130	1460	130	Petitions to the Commissioner																																																																																																																																																																															
1807	50	1807	50	Petitions related to provisional applications																																																																																																																																																																															
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																															
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	0																																																																																																																																																																														
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																															
1814	110	2814	55	Statutory disclaimer (37 CFR 1.120(d))																																																																																																																																																																															
Other fee (specify) _____																																																																																																																																																																																			
SUBTOTAL (1)		\$ 770	*Reduced by Basic Filing Fee	SUBTOTAL (3)	\$ 0																																																																																																																																																																														
SUBMITTED BY				Complete (if applicable)																																																																																																																																																																															
Typed or Printed Name	Brian C. Kunzler			Reg. Number	38,527																																																																																																																																																																														
Signature			Date	Dec 30, 2003																																																																																																																																																																															

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Mail Stop Assignments, P.O. Box 1450, Alexandria, VA 22313-1450.

PATENT APPLICATION
Docket No.: RPS920030216US1

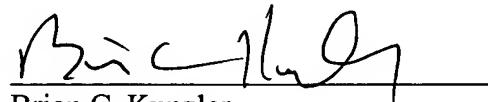
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: ER540257683US

Date of Deposit: December 30, 2003

I hereby certify that this patent application in the name of Daryl Cromer, Howard J. Locker, and Randall S. Springfield for APPARATUS, SYSTEM, AND METHOD FOR SECURE MASS STORAGE BACKUP, together with the drawings, Information Disclosure Statement, PTO Form 1449, and Copies of Cited References are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to MailStop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,



Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant

Date: December 30, 2003

Brian C. Kunzler, P.C.
8 East Broadway, Suite 600
Salt Lake City, Utah 84111
Telephone: 801/994-4646